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**OCT 12 2004**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:  
Bernardi et al.

Application No: 09/854,304

Filed: May 11, 2001

Title: Auto-Adjust Noise Canceling Microphone  
with Position Sensor

Atty. Dkt. No. 01-4962(PLANP046)

Examiner: Graham, Andrew R.

Assignee: Plantronics, Inc.

Art Unit: 2644

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on October 12, 2004.

Signed: 

Name: Jung-hua Kuo

**AMENDMENT UNDER 37 C.F.R. §1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated July 9, 2004 issued in connection with the above-identified patent application, for which a response is due October 12, 2004, the first business day after Saturday, October 9, 2004. Accordingly, this response is timely filed. Applicant respectfully requests that the Examiner enter the amendments and consider the Remarks presented herein.